

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
RANDY BONITO AND BRIAN CESPEDES ON
BEHALF OF THEMSELVES AND ALL OTHER
SIMILARLY SITUATED,

Case No.
10-Cv-3606(NRB)

**AFFIDAVIT
OF MAILING**

v.

AVALON PARTNERS, INC. AND VINCENT AU,
-----X

STATE OF NEW YORK)
)
COUNTY OF NEW YORK) ss.:

DI CONG JIANG, being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and resides in Sunnyside, New York.

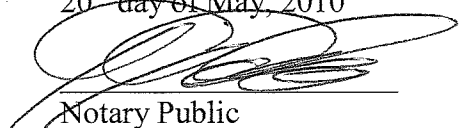
On May 19, 2010, deponent served the within NOTICE OF ADDITIONAL SERVICE IN COMPLIANCE WITH CPLR 3215 (g)(4)(i) along with a copy of the First Amended Summons in a Civil Action and First Amended Complaint & Copy of Affidavit on Secretary of State upon the defendant in this action at:

AVALON PARTNERS, INC.
30 BROAD STREET, 24TH FLOOR
NEW YORK, NEW YORK 10004

This being the address(es) designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a post-paid properly addressed wrapper, in an official depository mailbox maintained at 233 Broadway, New York, NY 10279 under the exclusive care and custody of the United States Postal Service within the State of New York.


DI CONG JIANG

Sworn to before me this
20th day of May, 2010


Notary Public

Gabriela Galindo
Notary Public, State of New York
No. 01GA6187899
Qualified in Queens County
Commission Expires 6/02/2012

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
RANDY BONITO AND BRIAN CESPEDES ON
BEHALF OF THEMSELVES AND ALL OTHERS
SIMILIARLY SITUATED,

**NOTICE OF ADDITIONAL
SERVICE IN
COMPLIANCE WITH
CPLR 3215 (g)(4)(i)**

V.

AVALON PARTNERS, INC. AND VINCENT AU

Case No. 10-Cv-3606 (NRB)

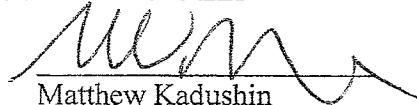
-----X
PLEASE TAKE NOTICE, that pursuant to CPLR 3215 (g)(4)(i), annexed hereto
is an additional service of the First Amended Summons in a Civil Action and First
Amended Complaint which was previously served upon Avalon Partners, Inc. pursuant to
Business Corporation Law 306(b) on May 13, 2010.

Dated: NEW YORK, NEW YORK
May 18, 2010

Yours, Etc.,

JOSEPH, HERZFELD, HESTER &
KIRSCHENBAUM LLP

By:



Matthew Kadushin
757 Third Avenue, 25th floor
New York, New York 10017
Telephone: (212)688-5640

TO: AVALON PARTNERS, INC.
30 BROAD STREET, 24TH FLOOR
NEW YORK, NEW YORK 10004

Di Cong Jiang, being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and resides at Sunnyside, New York.

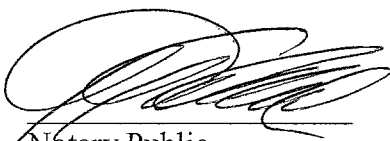
On May 19, 2010, deponent served the within **NOTICE OF ADDITIONAL SERVICE IN COMPLIANCE WITH CPLR 3215 (g)(4)(i)** upon the attorney(s) and/or the defendant(s) in this action at:

AVALON PARTNERS, INC.
30 BROAD STREET, 24TH FLOOR
NEW YORK, NEW YORK 10004

this being the address(es) designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a post-paid properly addressed wrapper, in an official depository mailbox maintained at 233 Broadway, New York, New York 10279 under the exclusive care and custody of the United States Postal Service within the State of New York.


Di Cong Jiang

Sworn to before me this
19th day of May, 2010


Notary Public

Gabriela Galindo
Notary Public, State of New York
No. 01GA6187899
Qualified in Queens County
Commission Expires 6/02/2012

Randy Bonito and Brian Cespedes on behalf of
themselves and all others similarly situated,

Plaintiff(s)

-against-

Avalon Partners, Inc. and Vincent Au,

Defendant(s)

AFFIDAVIT OF SERVICE

Case No. 10 CV 3606

Date Filed 5/6/2010

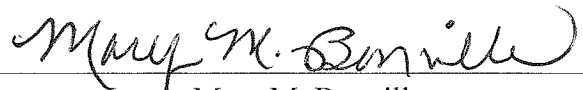
State of New York)

ss:

County of Albany)

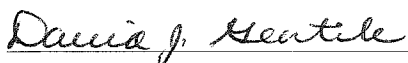
Mary M. Bonville, being duly sworn, deposes and says:

Deponent is over the age of eighteen and is a resident of New York State and is not a party to this action. That on May 13, 2010 at approximately 3:50 PM deponent served the following specific papers pursuant to Section 306 of the Business Corporation Law, First Amended Summons in a Civil Action and First Amended Complaint, that the party served was Avalon Partners, Inc., a domestic business corporation, the defendant in this action, by personally serving two copies of the aforesaid papers at the office of the NYS Secretary of State located at 99 Washington Avenue, 6th Floor, in the City of Albany, New York by delivering to and leaving the papers with Chad Matice, a white male with black hair, being approximately 21-35 years of age; height of 5'9" - 6'0", weight of 180-200 lbs., being an authorized person in the Corporation Division of the Department of State and empowered to receive such service. That at the time of making such service, deponent paid the fee prescribed by Law in the amount of \$40.00.



Mary M. Bonville

Sworn to before me this 13th day of May, 2010



David J. Gentile

Notary Public — State of New York

Qualified in Albany County

Registration No. 01GE6064647

Commission Expires: 10-01-2013



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From: D.C.J.

SERVING BY IRVING, INC.

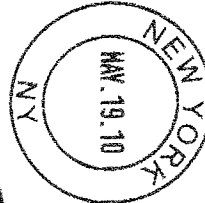
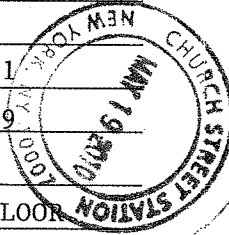
233 BROADWAY, SUITE 2201

NEW YORK, NEW YORK 10279

To: AVALON PARTNERS, INC.

30 BROAD STREET, 24TH FLOOR

NEW YORK, NEW YORK 10004



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